

1 AN ACT concerning public utilities.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by
5 changing Section 10-106 as follows:

6 (220 ILCS 5/10-106) (from Ch. 111 2/3, par. 10-106)

7 Sec. 10-106. Subpoenas. All subpoenas issued under the
8 terms of this Act may be served by any person of full age.
9 The fees of witnesses for attendance and travel shall be the
10 same as fees of witnesses before the circuit courts of this
11 State, such fees to be paid when the witness is excused from
12 further attendance, when the witness is subpoenaed at the
13 instance of the Commission, or any commissioner or hearing
14 examiner; and the disbursements made in the payment of such
15 fees shall be audited and paid in the same manner as are
16 other expenses of the Commission. Whenever a subpoena is
17 issued at the instance of a complainant, respondent, or other
18 party to any proceeding before the Commission, the Commission
19 may require that the cost of service thereof and the fee of
20 the witness shall be borne by the party at whose instance the
21 witness is summoned, and the Commission shall have power, in
22 its discretion, to require a deposit to cover the cost of
23 such service and witness fees and the payment of the legal
24 witness fee and mileage to the witness when served with
25 subpoena. A subpoena issued as aforesaid shall be served in
26 the same manner as a subpoena issued out of a court.

27 Any person who shall be served with a subpoena to appear
28 and testify, or to produce books, papers, accounts or
29 documents, issued by the Commission or by any commissioner or
30 hearing examiner, in the course of an inquiry, investigation
31 or hearing conducted under any of the provisions of this Act,

1 and who refuse or neglect to appear, or to testify, or to
2 produce books, papers, accounts and documents relevant to
3 said inquiry, investigation or hearing as commanded in such
4 subpoena, shall be guilty of a Class A misdemeanor.

5 Any circuit court of this State, upon application of the
6 Commission, or a commissioner or hearing examiner, may, in
7 its discretion, compel the attendance of witnesses, the
8 production of books, papers, accounts and documents, and the
9 giving of testimony before the Commission, or before any such
10 commissioner or hearing examiner, by an attachment for
11 contempt or otherwise, in the same manner as production of
12 evidence may be compelled before the court.

13 The Commission or a commissioner or hearing examiner or
14 any party may in any investigation or hearing before the
15 Commission, cause the deposition of witnesses residing within
16 or without the State to be taken in the manner prescribed by
17 law for like depositions in civil actions in the courts of
18 this State and to that end may compel the attendance of
19 witnesses and the production of papers, books, accounts and
20 documents.

21 The Commission may require, by order served on any public
22 utility in the manner provided herein for the service of
23 orders, the production within this State at such time and
24 place as it may designate, of any books, accounts, papers or
25 documents kept by any public utility operating within this
26 State in any office or place without this State, or, at its
27 option, verified copies in lieu thereof, so that an
28 examination thereof may be made by the Commission or under
29 its direction.

30 (Source: P.A. 84-617.)